

VALLEY OF SAN JOAQUIN, CALIFORNIA,  
*Merced Indian Reservation, June 24, 1851.*

SIR: I have the honor to lay before you a synopsis of my proceedings during the last three months, as Indian sub-agent for the valley of the San Joaquin. On the arrival of the United States' Indian commissioners for California, the Indians of this valley and adjacent country were in a hostile attitude towards the whites. They had assumed this position about the middle of December last, fled to the mountains with their women and children, and were engaged in a general predatory war with the miners in the mountains and persons who had located on the plains. They made frequent descents into the valley, cutting off travellers in small parties, and robbing them of horses and cattle. Their great object seems to have been to steal animals for food; but in doing this, frequent murders and other depredations followed. After becoming fully convinced that feelings of hostility were general among the Indians throughout the valley of the San Joaquin, I repaired to the seat of government to ask aid from the State on behalf of her citizens. The legislature was then about assembling, and the governor desired to lay the matter before the representatives of the people for their consideration.

I transmitted to his excellency a statement of the facts connected with the original outbreak, which had come under my immediate notice. Knowing that considerable time must necessarily be consumed by the legislature in its organization, before it could render any aid, and believing that prompt action would check, if not entirely arrest further depredations by the Indians, I repaired immediately to Sonoma, for the purpose of consulting with the then commander of the United States forces of the Pacific. A brief interview with that officer informed me of the opinion he entertained in regard to the Indian difficulties, and convinced me of his determination to maintain a "masterly neutrality" until compelled to do otherwise under orders of government. I was, therefore, induced to urge the organization of State troops, in order, if possible, to arrest a general Indian war, already commenced with some success on the part of the Indians. At this period of time, the Indian commissioners for California arrived in the country, but were delayed in San Francisco for some time before proceeding into the valley of San Joaquin. I did not see them until about the 12th of February, when they reached the Tuolumne river, under an escort of one hundred United States troops. At that place I joined the command, and proceeded in company with the commissioners through the valley, as far as Rio Rey, or Rug's river. Deeming it important to enter into the fulfilment of our contracts with the Indians, to get them from the mountains and settled in their respective reservations at the earliest possible day, I returned

through the valley for that purpose. For the last three months I have been arduously engaged in those duties, and I am satisfied great good has resulted from a prompt commencement with the Indians. I have now under my immediate charge the Indians in the following reservations: That lying between the Stanislaus and Tuolumne rivers, containing about one thousand Indians; that between the Tuolumne and Merced rivers, containing about eight hundred; that lying between the Chow-chille river and the Cowe, or first of the four creeks, including the San Joaquin and King's river, containing about eighteen hundred or two thousand; and another adjoining this latter reservation, as set apart by a treaty recently concluded by Colonel Barbour, near to or at Tulare lake. I have not yet been in that reservation, on account of the absolute necessity of my constant attention to the Indians in the three former. I am, therefore, not prepared to state the number of Indians included in that reservation. My time has been wholly employed in passing over the former three, and regulating their internal affairs. In some of them I have had considerable difficulties to contend with, arising mostly from the destitute situations of the Indians for subsistence, and those feuds which naturally take place between the Indians and a mixed population like that of this country.

The extent of country over which my duties extend is large; the civil authorities yet imperfectly in force over it, and without any military force for my aid, I have frequently felt my inability to carry out the laws "relating to Indian affairs," and more especially the "act regulating trade and intercourse with the Indian tribes." I have, however, succeeded beyond my expectations in settling the Indians upon their lands, and maintaining the supremacy of the laws. In doing this, I have been obliged, in some instances, to depart from the strict letter of the law, and to act upon such policy as prudence dictated.

I would call your attention, first, to the situation of the Indians of this region before and at the time the respective treaties were entered into by them. They are an ignorant, indolent, and rather migratory people, who heretofore lived upon roots, grass seeds, acorns, pine nuts and fish. Their main subsistence, however, was acorns, which they usually gathered in large quantities and stored away in magazines. On the breaking out of the war in December last, the Indians retired to the mountains, leaving behind them their principal stores of subsistence, intending to return for them as necessity required. The whites, in pursuing them, burnt and destroyed all that fell in their way; consequently, at the time the different treaties were entered into, the Indians of this region were destitute of anything to subsist upon, even if left to range at liberty over their native hills. Under each treaty they were required to come from the mountains to their reservations on the plains at the base of the hills. They were but children of nature, ignorant of the arts of agriculture, and incapable of producing anything if they had been placed upon the best soil on the earth. They came from the mountains without food, depending upon the small amount allowed in their treaties, with the roots and seeds to be daily gathered by their females. These have been found wholly inadequate to their absolute necessities. It was not then the season for acorns or the masinetto. Their new locations possessed but little of grass seeds, or the poppa, so much used by them. The consequences have been continual complaints for food, and I doubt not there has been much suffering among them.

I have been told by the chiefs that they desired to live up to the terms

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of their treaty; they had "kept it in their heads and in their hearts, but their people were starving; they must die of hunger, or return to the hills."

This want of food induced petty thefts from the miners and others, which resulted in difficulties between them, and if continued must have ended in serious consequences.

Under this state of things, what was my duty? To say nothing of humanity, under such circumstances, what was the best policy to be pursued by me for the interest of the government? In the absence of authority, and in view of the best interests of the government, I "*took the responsibility*" of furnishing greater supplies of beef to the Indians than was stipulated in the treaty, relying on the government for its payment in future. This was the only alternative to keep the Indians from returning to the mountains, and undoing all that the commissioners had effected. I have also changed the manner of delivering it to them. Instead of delivering beef cattle on foot, by the head, I have ordered such as I give them to be killed and delivered by the piece or pound. My reason for doing so was, that the cattle of this country are wild and unmanageable. The Indians are without horses, and if they had horses are ignorant of managing cattle, and many escape from them after being delivered.

Already had they lost, on different occasions, over four thousand dollars worth of cattle, purchased for them by the commissioners. I have placed the duty of delivering beef to them in the hands of the licensed traders of the respective reservations. In furnishing them subsistence, I had an eye to the strictest economy, barely allowing enough to supply their absolute necessities. Besides their original destitution on entering into the treaties, the Indians of the reservations are gradually swelling in numbers, from the "Monoes," or wild Indians from the adjacent mountains. These are as destitute as their friends, and must be fed, or they will all return to their covert places in the mountains, and depend upon thieving and plunder for subsistence.

In the course of my travels through this valley, I have found considerable amount of disease among the Indians demanding immediate attention. The most common are ophthalmia, of the various kinds, and syphilis. I first endeavored to make their own "*medicine*" men treat these diseases, but they seem to know little of the healing art. I have also had some apprehension that the small-pox might break out among them, which would, in all probability, have spread among them to an alarming extent. In order to guard against this disease, which caused so much destruction among the Indians of the Sacramento valley a few years ago, I thought it but proper to obtain immediate and general vaccination, a policy frequently pursued by the government with the northwestern tribes, but not provided for by treaty with the Indians of this valley. Should the small-pox break out among the Indians here, it would be destructive to them and dangerous to the whites in this community. Deeming it a duty on the part of the government, as well as an act of humanity to guard, as far as possible, these ignorant beings from such diseases, I appointed Doctor M. M. Ryor, who came to me well recommended, to vaccinate the Indians, and to give such medical or surgical attention to cases as might be *absolutely necessary*, coming under his notice. I am aware that such matters should generally be incorporated in treaties, or at least the department should ordinarily be consulted.

The distance from Washington, and the length of time which must be

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expended in getting advices, the danger of delay, and the necessity for immediate action, induced me to make the appointment as before stated. Vaccination and attention to the most virulent cases of syphilis, and other such cases, can cost the government but an inconsiderable sum compared to the great good that may result from it.

Should this or any other proceedings of mine not meet the approbation of the department, I hope to be so informed immediately.

I also deemed it important to enforce and maintain the law of the United States, "regulating trade and intercourse with Indian tribes," over the reservations at the earliest possible date, in order to prevent as far as possible the influence of bad and irresponsible persons with the Indians, and the sale of spirituous liquors to them. In order the more readily to effect this, I licensed good and responsible persons as traders in each reservation. Every thing has been regularly complied with under the law, except the irregularity of placing the individuals in immediate operation on the reservations before transmitting the papers and reporting the same to the department. I knew this to be the only course by which bad influences upon the Indians could be avoided, and the sale of liquors suppressed. The delay of awaiting an answer from Washington would have brought among the Indians petty traders and traffickers of all kinds to make the most out of the Indians while they could. By placing an authorized trader immediately among them, other traders were prevented from locating upon their reservations or trading with them. Besides, I obtain great assistance from them, and those around them, in enforcing the laws and regulations of the department. At the dates of the treaties there were but few traders or persons of any kind located on land assigned to the Indians. Peace being restored, many were rushing upon the lands and venturing among the Indians for the purpose of mining and trading with them. Two months delay would have brought fifty times the number of persons in contact with the Indians, and caused me much trouble, had I not directly taken the course I did. By doing so, I have succeeded in foreclosing traders, and almost entirely abolishing spirituous liquors and wines from the reservation.

The applications, bonds and licenses of such persons as I have placed upon the several reservations, together with reports, are herewith transmitted.

The amount charged on licenses are as follows: Messrs. Dent, Vantine & Co., of the reservation between Stanislaus and the Tuolumne rivers, *one thousand dollars*; George Belt, of the reservation between the Tuolumne and Mercede rivers, *one thousand dollars*; and James D. Savage & Co., of the San Joaquin reservation, between the Chow-chille river and the Coweer, or the first of the Four creeks, *twelve hundred dollars*.

In order to carry out the objects of the government regarding Indian territory, I attempted, by arbitration, to extinguish the titles of persons residing within the reservations. Two cases were considered, but the awards, especially in one case, were so extraordinary and exorbitant that I had no others considered. As it was important to have those persons out of the reservation whose claims were considered, on account of their keeping a tavern and a trading-house, and were, in my opinion, calculated to do mischief with the Indians in my absence, I took possession of the property under the award, leaving the final disposition of the matter to the depart-

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ment. The papers connected with these transactions are also herewith forwarded.

I am, sir, your most obedient servant,

**ADAM JOHNSTON,**

*Indian Sub-agent, Valley of San Joaquin.*

**Hon. LUKE LEA,**

*Commissioner Indian Affairs.*

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